

TRADE SCL-00100
FEB 22 01
PATENT OFFICE
DIVISION
#20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James L. Hobart et al.

Serial No.: 09/018,104

Filed: February 3, 1998

For: **DUAL MODE LASER DELIVERY
SYSTEM PROVIDING
CONTROLLABLE DEPTH OF
TISSUE ABLATION AND
CORRESPONDING
CONTROLLABLE DEPTH OF
COAGULATION**

**REQUEST FOR REFUND (IMPROPER
CHARGE OF DEPOSIT ACCOUNT)**

260 Sheridan Avenue, Suite 420
Palo Alto, CA 94306
(650) 833-0160

**Attn: Refund Section, Accounting Division
Office of Finance
Washington, D.C. 20231**

Dear Sir:

This is a request for a refund, with respect to the charge to Deposit Account 08-1275, shown on the attached statement dated December 29, 2000 for the above-identified patent application.

A Continued Prosecution Application (CPA) was filed December 1, 2000 for the above-referenced application (see copy of CPA transmittal attached). The CPA filing fee was based on the prosecution of the application. A response to the restriction requirement was filed November 8, 1999. Claims 15, 16 and 25-40 were withdrawn from consideration in this application. In calculating the CPA filing fee, these claims are not included. Therefore, the correct CPA filing fee was paid. Therefore, a request for refund in the amount of \$380.00 is requested (\$180.00 for fee code 203 plus \$200.00 for fee code 202).

Applicants respectfully request a credit to Deposit Account No.: 08-1275 in the amount of \$380.00, as this fee is was unwarranted.

Respectfully submitted
HAVERSTOCK & OWENS LLP

Dated: February 21, 2001

By: Jonathan O. Owens

Jonathan O. Owens
Registration No.: 37,902
Attorneys for Applicant(s)

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington D.C. 20231

HAVERSTOCK & OWENS LLP

Date: 2/21/01 By: Jonathan O. Owens

OFFICE OF FINANCE
REFUND DIVISION
2001 FEB - 1 PM 10: 58
US PATENT & TRADEMARK
OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

**MONTHLY STATEMENT
OF DEPOSIT ACCOUNT**

FEB 22 01

To replenish your Deposit Account, detach and
return top portion with your check. Make check
payable to Commissioner of Patents & Trademarks

MAINTENANCE
DIVISION

COPY
FINA

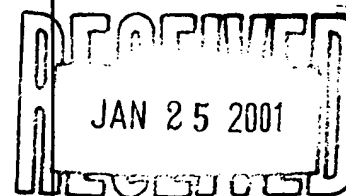
Account No.	081275
Date	12-29-00
Page	1

HAVERSTOCK & OWENS LLP
DANIELLE DALTON
260 SHERIDAN AVENUE SUITE 420

PALO ALTO CA 94306

PLEASE SEND REMITTANCES TO:
Patent and Trademark Office
P.O. Box 70541
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
12	1	00	145	09081262	SONY-08800	103	4.00	5964.00
12	5	00	143	09018104		704	-55.00	6019.00
12	7	00	3	08948536		103	54.00	5965.00
12	7	00	107	PCT/US00/12860		704	-16.00	5981.00
12	7	00	303	09705099	WNET-00102	581	40.00	5941.00
12	8	00	550	PCT/US00/42599		704	-269.00	6210.00
12	12	00	4	09018104		203	180.00	6030.00
12	12	00	5	09018104		202	200.00	5830.00
12	20	00	233	PCT/US00/33856	NPSTR-00100W	899	101.00	5729.00
12	20	00	235	PCT/US00/33856	NPSTR-00100W	566	15.00	5714.00
12	20	00	254	09737712		704	-222.00	5936.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT.				OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE	
				5968.00	594.00	562.00	5936.00	



*** O.D. INDICATES OVERDRAWN

HAVERSTOCK & OWENS LLP
260 Sheridan Avenue, Suite 420
Palo Alto, California 94306
(650) 833-0160

In re Application of: James L. Hobart et al.
Serial No.: 09/018,104
Filed: February 03, 1998
Entitled: DUAL MODE LASER DELIVERY SYSTEM PROVIDING CONTROLLABLE DEPTH OF TISSUE ABLATION AND CORRESPONDING CONTROLLABLE DEPTH OF COAGULATION

BOX CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Sir:

This is a request for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) of prior application number 09/018,104 filed on February 03, 1998 entitled: DUAL MODE LASER DELIVERY SYSTEM PROVIDING CONTROLLABLE DEPTH OF TISSUE ABLATION AND CORRESPONDING CONTROLLABLE DEPTH OF COAGULATION.

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, December 01, 2000, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EL703212706US addressed to: BOX CPA, Assistant Commissioner for Patents, Washington, D.C. 20231.

Danielle Dalton
(Name of Person Mailing Paper)

Signature

1. ☒ Enter the unentered amendment previously filed on October 2, 2000 under 37 CFR 1.116 in the prior nonprovisional application.
2. Fee Calculation (Based on the number of claims remaining as a result of the unentered amendment previously filed on October 2, 2000)

CLAIMS AS FILED

	Number Filed	Number Extra	Rate	Basic Fee
				\$710.00
Total Claims	22 - 20 = 2	2	\$18.00	36.00
Independent Claims	3 - 3 = 0	0	\$80.00	0.00
Multiple Dependent claim(s), if any			\$270.00	0.00
			Filing Fee Calculation	\$746.00

3. ☒ A Small Entity Statement was filed in the prior nonprovisional application and such status is still proper and desired.

50% Filing Fee Reduction (if applicable)

\$ 373.00

TOTAL FEES ENCLOSED

\$373.00

4. Payment of Fees

☒ Check in the amount of \$483.00 enclosed. (Enclosed is \$373.00 to cover the basic filing fee and \$110.00 covers the one month extension of time)

5. ☒ Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

6. ☒ Address all future communications to:

HAVERSTOCK & OWENS LLP
ATTN: Jonathan O. Owens
260 Sheridan Avenue, Suite 420
Palo Alto, CA 943067.

7. ☒ Petition for extension of time. The undersigned attorney of record hereby petitions for an extension of time pursuant to 37 C.F.R. § 1.136 (a), as may be required, to file this CPA.

8. ☒ Return Receipt Postcard

Dated: December 01, 2000

By: Jonathan O. Owens
Name: Jonathan O. Owens
Reg No.: 37,902